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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,676	10/04/2001	Edwin Tse	P15260	8968
27902	7590	01/14/2005	EXAMINER	
ERICSSON RESEARCH CANADA 8400 DECARIE BLVD. MONTREAL, QC H4P 2N2 CANADA			BATES, KEVIN T	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,676

Applicant(s)

TSE, EDWIN

Examiner

Kevin Bates

Art Unit

2155

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11-13-2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to a communication made on October 4, 2001.

The Information Disclosure Statement was received on November 13, 2001.

The Declaration was received on November 13, 2001.

Claims 1-53 are pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 23 recites the limitation "the NotifyFaultyAlarmList()" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kudo (5956719) (Applicant's IDS) in view of "3G Partnership Project" (Applicants IDS).

Regarding claims 1, 13, 25, and 40, Kudo discloses a first network entity of an Alarm Management System (AMS) connected to at least one managed Network Element (NE) (Column 3, lines 23 – 33) and receiving alarm notifications from the NE (Column 6, lines 1 – 9), the first network entity comprising a database and wherein when the first network entity reconfigures at least a portion of the database (Figure 5,

element B2), the network entity sends a notification to at least one second network entity of the AMS indicating it is in a process of reconfiguring at least a portion of the database (Figure 5, element B3), the first network entity further reconfigures at least a portion of the database (Figure 5, element B2), and once the rebuilt is complete, transmits information from the reconfiguration to the second network entity (Figure 5, element B5; Column 6, lines 49 – 61), but Kudo does not explicitly indicate that the database contains an Alarm notifications List (AL) and that the AL can be rebuilt. 3G teaches that a network element can use an Alarm notification List (Page 12, Section 5.2.3) and that the AL can be rebuilt and reconfigure by the Network Element (Page 15, Section 5.3.6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use 3G's teachings of Alarm notification Lists in Kudo's system in order to allow Kudo's system to support Inoperable systems to communication information and applications (Page 9, Section 4.1)

Regarding claims 2, 14, 26, and 42, the combination of Kudo and 3G discloses that the first network entity is an agent (Kudo, Column 3, lines 30 – 32), the second network entity is a manager (Kudo, Column 3, lines 26 – 27), and the AL is an Agent Alarm List (AAL) (3G, Page 12, Section 5.2.3).

Regarding claims 3, 27, and 41, the combination of Kudo and 3G discloses the agent rebuilds the at least a portion of the AAL upon detecting or suspecting a corruption of the at least a portion of the AAL (3G, Page 15, Section 5.3.6).

Regarding claim 5, 16, 29, and 43, the combination of Kudo and 3G discloses that the rebuild notification sent to the, at least one manager of the AMS is sent through

a notification channel connecting the agent and the at least one manager (3G, Section 4.2, Figure 1 and 2).

Regarding claims 6, 17, 34, and 48, the combination of Kudo and 3G discloses that the agent transmits alarm notifications from the at least a portion of the rebuilt AAL to the at least one manager without any request received from the at least one manager (Kudo, Figure 5, element B1 and B2).

Regarding claim 7, 32, and 46, the combination of Kudo and 3G discloses that the agent transmits the at least a portion of the rebuilt AAL to the at least one manager through at least one batch of alarm notifications (Kudo, Figure 5, element B5).

Regarding claims 8, 33, and 47, the combination of Kudo and 3G discloses that the alarm notifications of each batch are marked as belonging to a given batch of alarm notifications (3G, Page 13, Section 5.3.1, Tables 6, notificationId).

Regarding claims 9, 21, 37, and 51, the combination of Kudo and 3G discloses that the rebuild notification further comprises a reason parameter indicative of why the AAL is rebuilt (3G, Page 15, Section 5.3.6).

Regarding claims 10, 22, 38, and 52, the combination of Kudo and 3G discloses that the rebuild notification is a NotifyFaultyAlarmList() notification (Kudo, Figure 5, element B3).

Regarding claims 11 and 23, the combination of Kudo and 3G discloses that the NotifyFaultyAlarmList() notification comprises an Agent Identification representative of an agent whose related AAL is rebuilt (3G, Page 13, Section 5.3.1).

Regarding claim 15, the combination of Kudo and 3G discloses that following a completion of the process of rebuilding the at least a portion of the AAL by the agent, the manager receives from the agent alarm notifications from the at least a portion of the AAL (Kudo, Figure 5, element B5; 3G, Page 15, Section 5.3.6).

Regarding claims 12, 24, 39, and 53, the combination of Kudo and 3G discloses that when the agent transmits information from the rebuilt AAL to the manager, the agent transmits a NotifyAlarmListRebuilt message comprising an AlarmInfoList parameter with at least a portion of the AAL (Kudo, Figure 5, element B5).

Regarding claim 18, the combination of Kudo and 3G discloses that responsive to the receipt of the rebuild notification from the agent, the manager starts purging at least a portion of a Manager Alarm List (MAL) comprising alarm notifications corresponding to the at least a portion of the AAL being rebuilt by the agent (Kudo, Column 6, lines 57 – 61).

Regarding claims 4, 19, and 28, the combination of Kudo and 3G discloses that the rebuild notification sent to the at least one manager of the AMS comprises a Managed Object Instance (MOI) indicative of a Network Element (NE) whose related alarm notifications are being rebuilt by the agent (3G, Page 15, Section 5.3.6; Page 13, Section 5.3.1, Table 6).

Regarding claim 20, the combination of Kudo and 3G discloses that a Manager Alarm List (MAL), wherein upon receipt of the alarm notifications from the at least a portion of the AAL, the manager restores at least a portion of the MAL using the alarm notifications from the at least a portion of the AAL (Kudo, Column 6, lines 57 – 61).

Regarding claims 30, 31, 44, and 45, the combination of Kudo and 3G discloses that upon receipt of the rebuild notification by the manager, the manager also starts purging the at least a portion of the MAL comprising alarm notifications related to the MOI (Kudo, Column 6, lines 57 – 61).

Regarding claims 35 and 49, the combination of Kudo and 3G discloses the step of: receiving at the manager the alarm notifications from the at least a portion of the AAL that was rebuilt; restoring at the manager at least a portion of the MAL using the alarm notifications from the at least a portion of the AAL that was rebuilt (Kudo, Column 6, lines 57 – 61).

Regarding claim 36 and 50, the combination of Kudo and 3G discloses the step of: the manager resuming a normal processing following the step of restoring the at least a portion of the MAL (Kudo, Column 6, lines 57 – 61).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6253339 issued to Tse, because it discloses a distributed database of alarms.

U. S. Patent No. 6564341 issued to Sundaram, because it discloses a distributed database of event logs.

U. S. Patent No. 6128656 issued to Matchefts, because it discloses tracking and updating Alarm Lists.

U. S. Patent No. 6260062 issued to Davis, because it discloses a distributed system of Alarm notification.

U. S. Patent No. 6816461 issued to Scrandis, because it discloses a distributed database of manages objects.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

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January 11, 2005



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER